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STATE PASS TO USAID FOR E.LOKEN AND L.DOBINS  
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TAGS: [PREL](#) [PGOV](#) [ZI](#)  
SUBJECT: "CAUTIOUS OPTIMISM" ON SADC TALKS

REF: HARARE 781

Classified By: Pol/Econ Chief Glenn Warren under 1.4 b/d

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Summary  
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11. (C) MDC pro-Senate secretary-general Welshman Ncube, one of the MDC's lead negotiators in the SADC mediation, told polecon chief on September 10 he is "cautiously optimistic" that an agreement between ZANU-PF and the MDC on constitutional and electoral reforms will be reached. ZANU-PF is motivated to reach an agreement in order to normalize international relations, which it sees as crucial to righting the economy. Intense negotiations are continuing on the electoral law, Access to Information and Protection of Privacy Act (AIPPA), and the Public Order and Security Act (POSA); these are all issues the MDC feels are critical to free and fair elections. The focus will then shift to agenda items proposed by ZANU-PF: land and sanctions. ZANU-PF would like elections as currently scheduled in March; the MDC is pushing for June or later to take advantage of presumed reforms. End Summary.

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Progress on Negotiations  
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12. (C) Tracking what fellow-negotiator Tenday Biti told us earlier (Ref), Ncube said tentative agreement had been reached inter alia on establishment of a bill of rights, an independent electoral commission, size of the parliament, delimitation of new constituencies, parliamentary approval of executive appointments, and simultaneous presidential,

parliamentary, and local elections. Negotiations would next turn to an electoral law, and reform of AIPPA and POSA. Lastly, negotiators would consider issues tabled by ZANU-PF: the land question and sanctions.

13. (C) Both sides would continue negotiating this week in Harare (without South African mediation), according to Ncube. After a week's break (while Biti is in the United Kingdom), they would resume, also in Harare. Negotiators would then report to the South African mediators on September 29 and September 30. The South African would be prepared to assist if there were still unresolved issues.

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The Way Forward  
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14. (C) Ncube opined that ZANU-PF had made significant concessions. This was partly because of SADC pressure and a tough negotiating stance by the MDC. Most important in his opinion, however, was the realization on the part of ZANU-PF that the government would not be able to dig its way out of its economic hole without international assistance. Therefore, it needed the removal of "indirect" sanctions that precluded bilateral donor assistance and aid from the international financial institutions. ZANU-PF was hoping that with agreement on constitutional and electoral reform, the MDC would join in a request for the removal of sanctions and the resumption of international assistance.

15. (C) Ncube said the MDC position was that an agreement on reform was not sufficient for international

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reengagement--actual free and fair elections were needed. But to achieve an agreement permitting such elections, and allowing the opposition to benefit from reforms would require time. With the economy continuing its freefall, the poor would suffer while conditions for fair elections were being created.

16. (C) Ncube said the government favored holding elections as currently scheduled in March. It was confident that with a divided opposition and its traditional control of patronage and election machinery, it would win. If elections were postponed past March, the worsening economy would adversely affect ZANU-PF's electoral chances.

17. (C) Ultimately, Ncube expected that elections would be held no earlier than June. He hoped for an agreement and, while reforms were implemented, that the government would take interim (unspecified) measures to deal with the economy and get it back to where it was before the June 28 price controls. Otherwise, he feared economically deprived voters would become apathetic.

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A Note on Constitutional Amendment 18  
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18. (C) According to Ncube, ZANU-PF proposed that Amendment 18, in addition to its original provisions, be a repository for agreement reached by ZANU-PF and the MDC in the SADC negotiations. The MDC, on principle opposed to piecemeal reform, rejected this. Since its introduction, however, Amendment 18 had been modified to reflect some agreements reached in the negotiation apposite to the Amendment. These included the size of Parliament, the transfer of electoral responsibilities from the Registrar of Voters to an independent electoral commission, and size of constituencies. The 1994-1995 constitution (Ref), negotiated by Ncube and ZANU-PF's Chinimasa, would continue to be the basis of any agreement.

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Comment

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19. (C) ZANU-PF, which early on appeared disinterested in the talks, appears to now be taking them seriously. This is driven in large part by the crumbling economy, devastated even more by ZANU-PF's colossal miscalculation in imposing price rollbacks in June. Even with an agreement, however, the devil is in the implementation. Will the government adhere to a new constitution and related reforms to permit democratic space? Finally, even if it is possible to create a legal and regulatory environment conducive to free and fair elections, can the country hold on long enough to achieve this in light of the desperate economic situation?

DHANANI